

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

UNITED STATES OF AMERICA,  
Plaintiff,

v.

Case: 2:07-cr-20284  
Assigned To: Edmunds, Nancy G  
Referral Judge: Whalen, R. Steven  
Filed: 05-25-2007 At 11:53 AM  
INFO USA V DOWNEY (TAM)

VIOLET: 18 U.S.C. § 1030(a)(5)(A)(i)  
(FRAUD AND RELATED ACTIVITY IN  
CONNECTION WITH COMPUTERS)

D-1 JASON MICHAEL DOWNEY

Defendant.

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INFORMATION

THE UNITED STATES ATTORNEY CHARGES:

COUNT ONE  
(18 U.S.C. § 1030(a)(5)(A)(i) – Fraud and Related  
Activity in Connection with Computers)

D-1 JASON MICHAEL DOWNEY

From on or about June 18, 2004 to on or about September 5, 2004, in the Eastern District of Michigan and elsewhere, **JASON MICHAEL DOWNEY**, also known as "Nessun", defendant herein, who was then the owner of the "Rizon" Internet Relay Chat Network, did knowingly and intentionally cause the transmission of a program, information, code, or command through the use of an Internet Relay Chat network known as "Yotta-byte.net," and, as a result of such conduct, intentionally caused damage without authorization to several protected computers, in particular, defendant operated a "bot-net," that is, a network of computers infected with a virus, that allowed defendant to control such computers and cause them to attack other computers by

sending high volumes of data to such target computers and causing damage by impairing the availability of such systems and losses of over \$20,000, all in violation of Title 18, United States Code, 1030(a)(5)(A)(I).

**STEPHEN J. MURPHY**  
United States Attorney

s/Sheldon N. Light  
**SHELDON N. LIGHT**  
Assistant United States Attorney  
Chief, Economic Crimes Unit

s/Terrence Berg  
**TERRENCE BERG**  
Assistant United States Attorney

Dated:

**Criminal Case C**

**United States District Court  
Eastern District of Michigan**

**NOTE:** It is the responsibility of the Assistant U.S. Attorney signing this form to con

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<b>Companion Case Information</b>		<b>Companion Case Number:</b>
This may be a companion case based upon LCrR 57.10 (b)(4) <sup>1</sup> :		Judge Assigned:
<b>Yes</b>	<b>No</b>	AUSA's Initials: TB

**Case Title:** USA v. Jason Michael Downey

**County where offense occurred :** Macomb

**Check One:**       **Felony**       **Misdemeanor**       **Petty**

- Indictment \_\_\_ /Information  no prior complaint.  
 Indictment \_\_\_ /Information \_\_\_ based upon prior complaint [Case number: \_\_\_]  
 Indictment \_\_\_ /Information \_\_\_ based upon LCrR 57.10 (d) [*Complete Superseding section below*].

**Superseding Case Information:**

**Superseding to Case No:** \_\_\_\_\_ **Judge:** \_\_\_\_\_

- Original case was terminated; no additional charges or defendants.
- Corrects errors; no additional charges or defendants.
- Involves, for plea purposes, different charges or adds counts.
- Embraces same subject matter but adds the additional defendants or charges below:

**Defendant name**

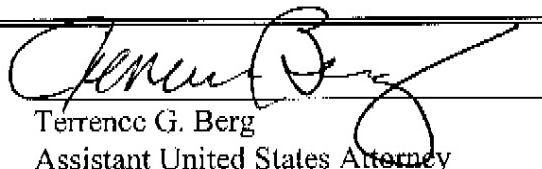
Jason Michael Downey

**Charges**

18 U.S.C. § 1030(a)(5)(A)(i)

5/25/07

Date

  
Terrence G. Berg  
Assistant United States Attorney

Phone number  
313-226-9160